

## **IC 20-12-21**

### **Chapter 21. State Scholarship Commission**

## **IC 20-12-21-1**

### **Short title**

Sec. 1. This chapter may be cited as the Indiana Higher Education Award Act.

*(Formerly: Acts 1965, c.157, s.1.) As amended by Acts 1981, P.L.202, SEC.1; P.L.2-1988, SEC.610.*

## **IC 20-12-21-2**

### **Purpose of chapter**

Sec. 2. The purposes of this chapter are:

- (1) to increase the opportunities for a higher education for all persons domiciled in the state who, though wanting such an education and being highly qualified for it, are deterred by financial considerations; and
- (2) to accomplish this by establishing a system of state higher education awards that will assist them to select and attend qualified public or private institutions of higher learning.

*(Formerly: Acts 1965, c.157, s.2.) As amended by Acts 1981, P.L.202, SEC.2; P.L.2-1988, SEC.611; P.L.92-1989, SEC.2.*

## **IC 20-12-21-3**

### **Definitions**

Sec. 3. As used in this chapter:

- (1) "Academic year" means the period from September 1 of a year through August 31 of the next succeeding year.
- (2) "Approved institution of higher learning" means the following:
  - (A) An educational institution that operates in the state and:
    - (i) provides an organized two (2) year or longer program of collegiate grade directly creditable toward a baccalaureate degree;
    - (ii) is either operated by the state or operated not-for-profit; and
    - (iii) is accredited by a recognized regional accrediting agency or by the commission on proprietary education.
  - (B) Ivy Tech State College.
  - (C) A hospital which operates a nursing diploma program which is accredited by the Indiana state board of nursing.
  - (D) A postsecondary proprietary educational institution that meets the following requirements:
    - (i) Is incorporated in Indiana, or is registered as a foreign corporation doing business in Indiana.
    - (ii) Is fully accredited by and is in good standing with the commission on proprietary education.
    - (iii) Is accredited by and is in good standing with a regional or national accrediting agency.
    - (iv) Offers a course of study that is at least eighteen (18)

consecutive months in duration (or an equivalent to be determined by the commission on proprietary education) and that leads to an associate or a baccalaureate degree recognized by the commission on proprietary education.

(v) Is certified to the commission by the commission on proprietary education as meeting the requirements of this clause.

(3) "Approved secondary school" means a public high school located in the state and any school, located in or outside the state, that in the judgment of the superintendent provides a course of instruction at the secondary level and maintains standards of instruction substantially equivalent to those of public high schools located in the state.

(4) "Caretaker relative" means a relative by blood or law who lives with a minor and exercises parental responsibility, care, and control over the minor in the absence of the minor's parent.

(5) "Commission" means the state student assistance commission established by this chapter.

(6) "Commission on proprietary education" refers to the Indiana commission on proprietary education established under IC 20-1-19-2.

(7) "Educational costs" means tuition and regularly assessed fees.

(8) "Enrollment" means the establishment and maintenance of an individual's status as an undergraduate student in an institution of higher learning.

(9) "Higher education award" means a monetary award.

(10) "Postsecondary proprietary educational institution" has the meaning set forth in IC 20-1-19-1.

(11) "Superintendent" means the state superintendent of public instruction.

*(Formerly: Acts 1965, c.157, s.3; Acts 1971, P.L.333, SEC.1.) As amended by Acts 1977, P.L.251, SEC.1; Acts 1977, P.L.252, SEC.1; Acts 1979, P.L.217, SEC.1; Acts 1981, P.L.202, SEC.3; P.L.169-1985, SEC.17; P.L.218-1987, SEC.11; P.L.92-1989, SEC.3; P.L.198-1993, SEC.1; P.L.5-1995, SEC.16; P.L.186-1999, SEC.1; P.L.130-2003, SEC.1.*

#### **IC 20-12-21-4**

##### **State student assistance commission; establishment; members; term of office; executive director**

Sec. 4. (a) A state student assistance commission is established. The commission is a separate body, corporate and politic. The commission is not a state agency. The commission performs essential governmental functions.

(b) The members of the commission must be citizens of Indiana and shall be appointed by the governor. Each congressional district shall be represented by one (1) member who is a resident of the district. The governor shall appoint an at-large student member of the commission who is a student at an approved institution of higher

learning. The governor shall select the student member from a list of not less than three (3) nor more than five (5) names submitted by a nominating committee consisting of students of approved institutions of higher learning. The chairman of the commission shall appoint the members of the student nominating committee.

(c) No member, while serving a term, may be an employee of or serve on the governing board of any state or private college, university, postsecondary proprietary educational institution, school corporation, or other educational institution in the state of Indiana or be in any other capacity an employee or official of the state of Indiana. However, the governor may appoint up to two (2) members affiliated with private educational institutions and up to two (2) members affiliated with public educational institutions. At the first meeting of the commission held after August 1 of each year, the members of the commission shall select a chairman, vice chairman, and secretary from among their number.

(d) A member of the commission is not entitled to compensation, but is entitled to per diem for attending meetings of the commission and for expenses necessarily incurred in performing the member's duties.

(e) The term of office of each member, except the student member, is three (3) years, beginning with August 1 of the year of appointment and continuing until the member's successor is appointed and qualified. The term of office of the student member is two (2) years, beginning with August 1 of the year of appointment and continuing until the member is no longer a student at an approved institution of higher learning or until the member's successor is appointed and qualified. Vacancies shall be filled by the governor.

(f) In addition to the appointment of the commission members under this section, the governor shall appoint an executive director to administer the programs of the commission.

*(Formerly: Acts 1965, c.157, s.4; Acts 1973, P.L.228, SEC.1.) As amended by Acts 1977, P.L.252, SEC.2; Acts 1981, P.L.202, SEC.4; Acts 1982, P.L.1, SEC.47; P.L.123-1984, SEC.1; P.L.128-1990, SEC.3; P.L.186-1999, SEC.2.*

## **IC 20-12-21-5**

### **Powers and duties of commission**

Sec. 5. (a) The commission shall:

- (1) prepare and supervise the issuance of public information concerning this chapter;
- (2) prescribe the form and regulate the submission of applications for higher education awards;
- (3) conduct such conferences and interviews with applicants as may be appropriate;
- (4) determine the eligibility of applicants;
- (5) select qualified applicants;
- (6) determine the respective amounts of, and award, the appropriate higher education awards;

- (7) determine eligibility for, and award, annual renewals of higher education awards;
  - (8) act as the designated state agency for participation in any federal program for reinsurance of student loans; and
  - (9) adopt rules, under IC 4-22-2, to develop standards that govern the denial of assistance to higher education award applicants and recipients under section 7.6 of this chapter.
- (b) The commission may:
- (1) make such rules as may be necessary to carry out its functions under this chapter; and
  - (2) appoint advisory boards as it considers necessary.
- (c) The commission shall exercise its functions without regard to an applicant's race, creed, sex, color, national origin, or ancestry.  
*(Formerly: Acts 1965, c.157, s.5.) As amended by Acts 1977, P.L.252, SEC.3; Acts 1981, P.L.202, SEC.5; P.L.235-1987, SEC.1.*

#### **IC 20-12-21-5.1**

##### **Additional powers and duties of commission**

Sec. 5.1. (a) In addition to the duties described in section 5(a) of this chapter, the commission shall do the following:

- (1) Prepare and supervise the issuance of public information concerning all of the commission's programs.
- (2) Prescribe the form and regulate the submission of applications for all of the commission's programs.
- (3) Determine the amounts of grants and scholarships.
- (4) Determine eligibility for grants and scholarships.
- (5) Receive federal funds made available to the commission for awards, grants, and scholarships, and disburse these funds in the manner prescribed by federal law.

(b) In addition to the powers described in section 5(b) of this chapter, the commission may do the following:

- (1) Accept gifts, grants, devises, or bequests for the purpose of providing grants, awards, scholarships, loans, or other forms of financial aid to students attending approved institutions of higher learning.
- (2) Enter into contracts, subject to IC 4-13-2, that the commission determines are necessary to carry out the commission's functions.
- (3) Provide administrative or technical assistance to other governmental or nongovernmental entities if the provision of this assistance will increase the number and value of grants, awards, scholarships, or loans available to students attending approved institutions of higher learning.

(c) When the commission receives an offer of a gift, grant, devise, or bequest under subsection (b)(1), the commission may accept stipulations on the use of the donated funds. In this case, sections 7(d) and 17 of this chapter do not apply. Before accepting a gift, grant, devise, or bequest, the commission shall determine that the purposes for which a donor proposes to provide funds are:

- (1) lawful;

- (2) in the state's best interests; and
- (3) generally consistent with the commission's programs and purposes.

Whenever the commission agrees to stipulations on the use of donated funds under this subsection, the commission and the donor shall, subject to approval by the state budget agency and the governor or the governor's designee, execute an agreement.

(d) Whenever the commission agrees to provide administrative or technical assistance under subsection (b)(3), the commission and the party to whom the assistance is to be provided shall execute an agreement specifying:

- (1) the assistance that is to be provided; and
- (2) the charges, if any, that are to be assessed by the commission for providing this assistance.

The commission may waive charges for administrative or technical assistance under this subsection if the commission determines that a waiver is in the best interest of the state. Agreements to provide assistance under this subsection must be approved by the budget agency and the governor or the governor's designee.

(e) The commission shall exercise its functions without regard to an applicant's race, creed, sex, color, national origin, or ancestry.

*As added by P.L.236-1987, SEC.1.*

#### **IC 20-12-21-5.2**

##### **Code of ethics**

Sec. 5.2. (a) The commission shall:

- (1) adopt:
  - (A) rules under IC 4-22-2; or
  - (B) a policy;establishing a code of ethics for its employees; or
- (2) decide it wishes to be under the jurisdiction and rules adopted by the state ethics commission.

(b) A code of ethics adopted by rule or policy under this section must be consistent with state law and approved by the governor.

*As added by P.L.5-1996, SEC.15.*

#### **IC 20-12-21-5.5**

##### **Program director; staff personnel; facilities and supplies**

Sec. 5.5. The executive director may engage personnel, and procure supplies and facilities necessary to carry out the commission's functions under this chapter and IC 20-12-21.1. The executive director shall, with commission approval, appoint a program director to administer this chapter and a program director to administer IC 20-12-21.1.

*As added by Acts 1977, P.L.252, SEC.4. Amended by Acts 1981, P.L.202, SEC.6; P.L.1-2003, SEC.67.*

#### **IC 20-12-21-5.6**

##### **Applicability**

Sec. 5.6. (a) This section applies to a person:

- (1) who is a dependent student;
- (2) who is a graduate of a high school located in Indiana or recipient of the state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1;
- (3) who on the date that eligibility is determined by the commission, has resided in Indiana with a caretaker relative who is a resident of Indiana for at least four (4) years; and
- (4) whose legal parent:
  - (A) is currently; or
  - (B) has been in the past;a resident of Indiana for at least three (3) consecutive years.

(b) In determining the eligibility of a person described in subsection (a) to receive financial aid administered by the commission under this chapter or any other law, the commission shall use the residence or domicile of the caretaker relative referred to in subsection (a)(3) to determine the person's residence or domicile.

*As added by P.L.130-2003, SEC.2.*

#### **IC 20-12-21-6**

##### **Eligibility for awards**

Sec. 6. (a) An applicant is eligible for a first year higher education award under this chapter if the student meets the following requirements:

- (1) The applicant is a resident of Indiana, as defined by the commission.
- (2) The applicant:
  - (A) has successfully completed the program of instruction at an approved secondary school;
  - (B) has been granted a:
    - (i) high school equivalency certificate before July 1, 1995; or
    - (ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1; or
  - (C) is a student in good standing at an approved secondary school and is engaged in a program that in due course will be completed by the end of the current academic year.
- (3) The financial resources reasonably available to the applicant, as defined by the commission, are such that, in the absence of an award under this chapter, the applicant would be deterred from completing the applicant's education at the approved institution of higher learning that the applicant has selected and that has accepted the applicant. In determining the financial resources reasonably available to an applicant to whom section 5.6 of this chapter applies, the commission must consider the financial resources of the applicant's legal parent.
- (4) The applicant will use the award initially at that institution.
- (5) If the student is already enrolled in an approved institution of higher learning, the applicant must be a full-time student and be making satisfactory progress, as determined by the

commission, toward a first baccalaureate degree.

(6) The student declares, in writing, a specific educational objective or course of study and enrolls in:

(A) courses that apply toward the requirements for completion of that objective or course of study; or

(B) courses designed to help the student develop the basic skills that the student needs to successfully achieve that objective or continue in that course of study.

(b) A higher education award recipient is not eligible for assistance after the recipient has received an award for a total of eight (8) semesters or twelve (12) quarters of postsecondary school education.

(c) To maintain eligibility a student is not required to:

(1) attend an institution of higher learning; or

(2) receive an award;

in consecutive semesters or quarters. However, a recipient's eligibility for an award does not extend more than ten (10) years after the date that the initial award is granted.

*(Formerly: Acts 1965, c.157, s.6.) As amended by Acts 1979, P.L.217, SEC.2; Acts 1981, P.L.202, SEC.7; P.L.220-1983, SEC.1; P.L.128-1990, SEC.1; P.L.166-1991, SEC.3; P.L.149-1995, SEC.13; P.L.130-2003, SEC.3.*

#### **IC 20-12-21-6.1**

##### **Persons eligible for award**

Sec. 6.1. (a) A student who:

(1) participates in:

(A) a nursing diploma program which is accredited by the Indiana state board of nursing and operated by a hospital;

(B) a technical certificate or associate degree program at Ivy Tech State College; or

(C) an associate degree program at a postsecondary proprietary educational institution that meets the requirements of section 3(2)(D) of this chapter; and

(2) meets the requirements of section 6 of this chapter, except the requirement of satisfactory progress toward a first baccalaureate degree set forth in section 6(a)(5) of this chapter;

is eligible to receive a state higher education award under this chapter. However, such a student must make satisfactory progress toward obtaining the diploma, technical certificate, or associate degree to remain eligible for the award.

(b) The maximum amount of a grant that may be offered to an eligible student in a program at an institution of higher learning described in section 3(2)(D) of this chapter is equal to the maximum amount of an award the student could receive under this chapter if the student were enrolled at Ivy Tech State College.

*As added by Acts 1977, P.L.251, SEC.2. Amended by Acts 1981, P.L.202, SEC.8; P.L.169-1985, SEC.18; P.L.66-1988, SEC.2; P.L.5-1995, SEC.17; P.L.186-1999, SEC.3.*

## **IC 20-12-21-6.2**

### **Financial resources available to student**

Sec. 6.2. In determining the financial resources available to a student under section 6(a)(3) of this chapter, the commission may not consider principal or interest, including an original issue discount that qualifies as interest excludable from gross income for federal income tax purposes, on a bond that is:

(1) issued by a:

(A) public body corporate and politic of the state; or

(B) higher education institution (as defined in IC 20-12-5.5-1);

designated by the governor as a college savings bond, and purchased after December 31, 1989; or

(2) a United States savings bond purchased after December 31, 1989, if the interest is claimed as exempt from federal taxation under Section 135 of the Internal Revenue Code.

*As added by P.L.129-1990, SEC.1.*

## **IC 20-12-21-6.5**

### **Rules governing awards**

Sec. 6.5. The commission shall publish and make available to all applicants all its rules governing the awarding and denial of higher education awards. Such rules shall state specifically the conditions under which awards once issued may be withdrawn or reduced.

*(Formerly: Acts 1971, P.L.334, SEC.1.) As amended by Acts 1977, P.L.252, SEC.5; Acts 1981, P.L.202, SEC.9; P.L.235-1987, SEC.2.*

## **IC 20-12-21-7**

### **Issuance of first year awards; number; priorities; renewals**

Sec. 7. (a) For each academic year, first-year higher education awards shall be issued to as many qualified persons as the then current biennial appropriation allows. Those applicants who are least able to provide funds for the cost of education shall be given priority in the awarding of higher education award funds.

(b) A higher education award for a student in a program leading to a baccalaureate degree may be renewed for a total of three (3) academic years following the academic year of the first award or until such earlier time as the student receives a degree normally obtained in four (4) academic years. A higher education award for a student in a program leading to a technical certificate or an associate degree may be renewed for the number of academic years normally required to obtain a certificate or degree in the student's program. The commission may grant such a renewal only upon application and only upon its finding that:

(1) the applicant has successfully completed the work of a preceding year;

(2) the applicant remains domiciled in the state;

(3) based on the financial requirement set forth in section 6(a)(3) of this chapter, the recipient's financial situation continues to warrant an award; and



(4) the applicant is eligible under section 6(b) and 6(c) of this chapter.

(c) Out of funds available after commitments have been met under subsections (a) and (b), awards shall be issued to persons who have successfully completed one (1), but not more than three (3), academic years in approved institutions of higher learning, if they meet the eligibility requirements of section 6 or 6.1 of this chapter. Such awards shall be handled on the same basis as renewals under subsection (b).

(d) A higher education award issued under this section extends to all educational costs for the academic year for which the award is made, but only to the extent of current financial need (as measured under section 6(a)(3) of this chapter) or the maximum fees regularly assessed to resident undergraduates at any Indiana public institution of higher learning, as determined annually by the commission, whichever is smaller.

*(Formerly: Acts 1965, c.157, s.7; Acts 1971, P.L.334, SEC.2.) As amended by Acts 1979, P.L.217, SEC.3; Acts 1981, P.L.202, SEC.10; P.L.66-1988, SEC.3; P.L.128-1990, SEC.2; P.L.186-1999, SEC.4.*

#### **IC 20-12-21-7.1**

##### **Applicants least able to provide funds for education; consideration of principal or interest on bonds; exemption**

Sec. 7.1. In determining the applicants that are least able to provide funds for the cost of education under section 7(a) of this chapter, the commission may not consider principal or interest, including an original issue discount that qualifies as interest excludable from gross income for federal income tax purposes, on a bond that is:

(1) issued by a:

(A) public body corporate and politic of the state; or

(B) higher education institution (as defined in IC 20-12-5.5-1);

designated by the governor as a college savings bond, and purchased after December 31, 1989; or

(2) a United States savings bond purchased after December 31, 1989, if the interest is claimed as exempt from federal taxation under Section 135 of the Internal Revenue Code.

*As added by P.L.129-1990, SEC.2.*

#### **IC 20-12-21-7.5 Repealed**

*(Repealed by P.L.235-1987, SEC.4.)*

#### **IC 20-12-21-7.6**

##### **Denial of assistance to award applicants**

Sec. 7.6. The commission may deny assistance under this chapter to a higher education award applicant or recipient who is:

(1) convicted of a felony;

(2) sentenced to a term of imprisonment for that felony; and

(3) confined for that felony at a penal facility (as defined in

IC 35-41-1-2).  
*As added by P.L.235-1987, SEC.3.*

#### **IC 20-12-21-8**

##### **Repealed**

*(Repealed by Acts 1981, P.L.202, SEC.23.)*

#### **IC 20-12-21-9**

##### **Certification of applicants to whom awards have been issued**

Sec. 9. The commission shall certify to the auditor of state the names and addresses of the applicants to whom awards have been issued. An award is effective during the academic year immediately following its award, and records and accounts relating to it shall be kept accordingly.

*(Formerly: Acts 1965, c.157, s.9; Acts 1971, P.L.334, SEC.3.) As amended by Acts 1981, P.L.202, SEC.12.*

#### **IC 20-12-21-10**

##### **Enrollment; effect of termination of student status; second year awards**

Sec. 10. (a) An applicant to whom the commission has issued an award may apply for enrollment as a student in any approved institution of higher learning. However, the institution is not required to accept him for enrollment, and it may require compliance with its own admissions requirements. If it accepts him, it shall give written notice to the commission. The institution is entitled to the payments of tuition and other necessary fees and charges provided by the award, for credit only against the student's obligation for them. It shall provide facilities and instruction to the student on the same terms as to other students.

(b) If during an academic period a student enrolled in an institution under an award issued under this chapter ceases for any reason to be a student in good standing, the institution shall promptly give written notice to the commission as to the change of status and the reason for it. If under its current standards a fee or charge that has been paid as part of an award under this chapter would otherwise be remissible by the institution to the student, it shall be remitted to the auditor of state.

(c) A student to whom a renewal award has been issued may either re-enroll in the institution that he attended during the preceding year or enroll in another qualified institution of higher learning. In either event, the institution accepting the student shall notify the commission. It is entitled to payment and is contractually obligated as provided for first-year awards.

*(Formerly: Acts 1965, c.157, s.10.) As amended by Acts 1981, P.L.202, SEC.13.*

#### **IC 20-12-21-10.5**

##### **Development of training concerning grant program; inspection of records concerning grants**

Sec. 10.5. The commission and the commission on proprietary education:

- (1) shall cooperate in developing training programs concerning grant program requirements; and
- (2) may, subject to written advance notice, inspect and audit the records of a postsecondary proprietary educational institution concerning student grants awarded under this chapter.

*As added by P.L.186-1999, SEC.5.*

#### **IC 20-12-21-11**

##### **Award account and records**

Sec. 11. The commission shall administer the higher education award account and related records of each student who is attending an institution of higher learning under an award issued under this chapter. At each appropriate time, it shall certify to the auditor of state, in the manner prescribed by law, the current payment to be made to the institution under the award. This shall be done in accordance with an appropriate certificate of the institution presented by the time the payment is due under the rules of the institution applicable to students generally, after the tuition and necessary fees have become fixed.

*(Formerly: Acts 1965, c.157, s.11.) As amended by Acts 1981, P.L.202, SEC.14.*

#### **IC 20-12-21-11.5**

##### **Higher education award fund**

Sec. 11.5. The auditor of state shall create a separate and segregated higher education award fund distinct from the freedom of choice grant fund. Money may be exchanged or transferred between these funds as provided by section 12.5 of this chapter. All money disbursed from the higher education award fund shall be in accordance with the provisions of this chapter. Money remaining in the higher education award fund at the end of any fiscal year does not revert to the state general fund but remains available to be used for making higher education awards under this chapter.

*As added by Acts 1981, P.L.202, SEC.15. Amended by P.L.128-1990, SEC.4; P.L.166-1991, SEC.4.*

#### **IC 20-12-21-12**

##### **Unspent scholarship money; use**

Sec. 12. If at the end of a fiscal year part of the money appropriated for that year for the purposes of this chapter remains unspent, it may be spent for those purposes during the next succeeding fiscal year.

*(Formerly: Acts 1965, c.157, s.13.) As amended by P.L.2-1988, SEC.612.*

#### **IC 20-12-21-12.5**

##### **Transfer of funds after commitments met for academic year**

Sec. 12.5. After the commitments for the higher education award

fund have been fully met for any academic year under section 7 of this chapter, the commission may order the auditor to transfer to the freedom of choice grant fund any monies remaining in the higher education award fund. The auditor shall make the transfer ordered by the commission with the approval of the budget director and the Governor.

*As added by Acts 1979, P.L.217, SEC.5. Amended by Acts 1981, P.L.202, SEC.16.*

#### **IC 20-12-21-13**

##### **Repealed**

*(Repealed by Acts 1981, P.L.202, SEC.23.)*

#### **IC 20-12-21-14**

##### **Repealed**

*(Repealed by Acts 1981, P.L.202, SEC.23.)*

#### **IC 20-12-21-15**

##### **Freedom of choice grant program; administration; eligibility**

Sec. 15. The commission shall administer the hereby created freedom of choice grant program. A person shall be eligible for a grant under this program if:

- (a) the person is qualified for a higher education award under the terms of sections 6 or 6.1 of this chapter; even though lack of funds prevents the actual award or grant;
- (b) the person has a financial need as determined pursuant to this chapter, and the rules and regulations of the commission in excess of such award; and
- (c) the person will attend an approved institution of higher learning as defined in section 3(2)(A), 3(2)(B), or 3(2)(C) of this chapter, which is operated privately and not administered or controlled by any state agency or entity.

*(Formerly: Acts 1973, P.L.229, SEC.1.) As amended by Acts 1977, P.L.252, SEC.7; Acts 1981, P.L.202, SEC.17; P.L.186-1999, SEC.6.*

#### **IC 20-12-21-16**

##### **Renewal of grant; conditions**

Sec. 16. Freedom of choice grant renewals shall be governed by the same conditions as are set forth in section 7(b) of this chapter.

*(Formerly: Acts 1973, P.L.229, SEC.2.) As amended by Acts 1981, P.L.202, SEC.18.*

#### **IC 20-12-21-17**

##### **Amount of grant**

Sec. 17. The amount of a freedom of choice grant to be made pursuant to this program shall not exceed the difference between the amount of the total financial need of the student, as determined pursuant to the commission's rules and regulations, and the higher education award made under section 6 or 6.1 of this chapter, or the sum necessary to pay tuition and regularly assessed fees at the

institution, whichever is smaller.  
(Formerly: Acts 1973, P.L.229, SEC.3.) As amended by Acts 1981, P.L.202, SEC.19.

#### **IC 20-12-21-18**

##### **Freedom of choice grant fund**

Sec. 18. The auditor of the state shall create a separate and segregated freedom of choice grant fund distinct from the higher education award fund. Except as provided in section 12.5 of this chapter, monies shall not be exchanged or transferred among these funds, and all money disbursed from the freedom of choice grant fund shall be in accordance with the provisions of this chapter. Monies remaining in the freedom of choice grant fund at the end of any fiscal year do not revert to the state general fund, but remain available to be used for making freedom of choice grants under this chapter.

(Formerly: Acts 1973, P.L.229, SEC.4.) As amended by Acts 1979, P.L.217, SEC.7; Acts 1981, P.L.202, SEC.20.

#### **IC 20-12-21-19**

##### **Budget; review; recommendations**

Sec. 19. The commission for higher education shall review the budget request of the commission and make recommendations to the governor and the general assembly concerning appropriations to the commission. In making the review the commission for higher education may request and shall receive complete information concerning all receipts and all expenditures from the commission.  
As added by Acts 1977, P.L.252, SEC.8.

#### **IC 20-12-21-20**

##### **Hoosier scholar award program**

Sec. 20. There is established the "hoosier scholar" award program, to be administered by the commission. The commission shall make an award each year to the top-ranking students, as certified by the school corporation, of each high school graduating class in the state who will be attending an eligible institution. The number of awards given shall be determined by the size of the graduating class as follows:

1-50 graduating students . . . . . one (1) award;  
51-300 graduating students . . . . . two (2) awards; and  
over 300 graduating students . . . . . three (3) awards.

This award may be renewed under terms established by the commission. The amount of the award shall be determined by the commission. The amount of an award for which a student is eligible under section 6, 6.1, or 15 of this chapter may not be reduced because of the receipt by the student of a hoosier scholar award under this section, nor may an award under this section be reduced because of the receipt of an award under section 6, 6.1, or 15 of this chapter.

As added by Acts 1981, P.L.202, SEC.21.

**IC 20-12-21-20.5****Hoosier scholar award fund**

Sec. 20.5. The auditor of state shall create a separate and segregated hoosier scholar award fund distinct from the higher education award fund and the freedom of choice grant fund. Monies may not be exchanged or transferred between the hoosier scholar award fund and the other funds. All monies disbursed from the hoosier scholar award fund shall be in accordance with the provisions of this chapter. Monies remaining in the hoosier scholar award fund at the end of any fiscal year do not revert to the state general fund, but remain available to be used for making hoosier scholar awards under this chapter.

*As added by Acts 1981, P.L.202, SEC.22.*

**IC 20-12-21-21****Repealed**

*(Repealed by P.L.52-1990, SEC.9.)*